

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

KOBRE & KIM LLP,

Plaintiff,

- v. -

UNITED STATES COMMODITY FUTURES  
TRADING COMMISSION,

Defendant.

INDEX NO. 19-cv-10151 (LAK) (OTW)

I, Benjamin J.A. Sauter, declare, under penalty of perjury, the following:

1. Per the attached affidavit of Aldane Chambers (attached hereto as **Exhibit A**), on November 6, 2019, at the United States Attorney's Office Civil Division located at 86 Chambers Street, 3rd Floor, New York, New York 10007, the following papers were served upon the Commodity Futures Trading Commission ("CFTC") by delivering to and leaving with Lisa Ahearn: Summons in a Civil Action; Civil Cover Sheet; Complaint with Exhibits; Rule 7.1 Statement; Individual Rules of Practice of Lewis A. Kaplan, United States District Judge; Individual Practices in Civil Cases of Ona T. Wang, United States Magistrate Judge; and Electronic Case Filing Rules & Instructions.

2. On November 18, 2019, I caused to be served a true copy of the following papers upon the CFTC: Summons in a Civil Action; Civil Cover Sheet; Complaint with Exhibits; Rule 7.1 Statement; Individual Rules of Practice of Lewis A. Kaplan, United States District Judge; Individual Practices in Civil Cases of Ona T. Wang, United States Magistrate Judge; and Electronic Case Filing Rules & Instructions, by certified mail, enclosed and properly sealed in a

postpaid envelope, which I deposited in an official depository under the exclusive care and custody of the United States Postal Service within the State of New York addressed to:

FOIA Compliance Office  
Commodity Futures Trading Commission  
Three Lafayette Centre  
1155 21st Street, NW  
Washington, DC 20581

Christopher J. Kirkpatrick  
Commodity Futures Trading Commission  
Three Lafayette Centre  
1155 21st Street, NW  
Washington, DC 20581

William Barr  
U.S. Department of Justice  
950 Pennsylvania Avenue, NW  
Washington, DC 20530-0001

Dated: November 20, 2019

Respectfully submitted,

/s Benjamin J.A. Sauter

Benjamin J.A. Sauter

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